

Fill in this information to identify your case:

United States Bankruptcy Court for the:

WESTERN DISTRICT OF TEXAS

Case number (if known): _____ Chapter you are filing under:

- ☒ Chapter 7
☐ Chapter 11
☐ Chapter 12
☐ Chapter 13

☐ Check if this is an
amended filing

Official Form 101**Voluntary Petition for Individuals Filing for Bankruptcy****12/17**

The bankruptcy forms use you and Debtor 1 to refer to a debtor filing alone. A married couple may file a bankruptcy case together--called a joint case--and in joint cases, these forms use you to ask for information from both debtors. For example, if a form asks, "Do you own a car," the answer would be yes if either debtor owns a car. When information is needed about the spouses separately, the form uses Debtor 1 and Debtor 2 to distinguish between them. In joint cases, one of the spouses must report information as Debtor 1 and the other as Debtor 2. The same person must be Debtor 1 in all of the forms.

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Identify Yourself

	About Debtor 1:	About Debtor 2 (Spouse Only in a Joint Case):
1. Your full name Write the name that is on your government-issued picture identification (for example, your driver's license or passport). Bring your picture identification to your meeting with the trustee.	Randy _____ First Name Benavides _____ Middle Name Balderas _____ Last Name _____ Suffix (Sr., Jr., II, III)	_____ First Name _____ Middle Name _____ Last Name _____ Suffix (Sr., Jr., II, III)
2. All other names you have used in the last 8 years Include your married or maiden names.	_____ First Name _____ Middle Name _____ Last Name	_____ First Name _____ Middle Name _____ Last Name
3. Only the last 4 digits of your Social Security number or federal Individual Taxpayer Identification number (ITIN)	xxx - xx - 2 4 3 0 OR 9xx - xx - _____	xxx - xx - _____ OR 9xx - xx - _____

	About Debtor 1:	About Debtor 2 (Spouse Only in a Joint Case):
4. Any business names and Employer Identification Numbers (EIN) you have used in the last 8 years Include trade names and doing business as names	<input checked="" type="checkbox"/> I have not used any business names or EINs.	<input type="checkbox"/> I have not used any business names or EINs.
	Business name _____	Business name _____
	Business name _____	Business name _____
	Business name _____	Business name _____
	EIN _____	EIN _____
5. Where you live	EIN _____	EIN _____
	2049 FM 3006	If Debtor 2 lives at a different address:
	Number Street	Number Street
	_____	_____
	_____	_____
	Pleasanton TX 78064	_____
	City State ZIP Code	City State ZIP Code
	Atascosa	_____
	County	County
	If your mailing address is different from the one above, fill it in here. Note that the court will send any notices to you at this mailing address.	If Debtor 2's mailing address is different from yours, fill it in here. Note that the court will send any notices to you at this mailing address.
P.O. Box 40	_____	
Number Street	Number Street	
_____	_____	
P.O. Box	P.O. Box	
Charlotte TX 78011	_____	
City State ZIP Code	City State ZIP Code	
6. Why you are choosing this district to file for bankruptcy	<i>Check one:</i>	<i>Check one:</i>
	<input checked="" type="checkbox"/> Over the last 180 days before filing this petition, I have lived in this district longer than in any other district.	<input type="checkbox"/> Over the last 180 days before filing this petition, I have lived in this district longer than in any other district.
	<input type="checkbox"/> I have another reason. Explain. (See 28 U.S.C. § 1408.)	<input type="checkbox"/> I have another reason. Explain. (See 28 U.S.C. § 1408.)

Part 2: Tell the Court About Your Bankruptcy Case	
7. The chapter of the Bankruptcy Code you are choosing to file under	<i>Check one:</i> (For a brief description of each, see Notice Required by 11 U.S.C. § 342(b) for Individuals Filing for Bankruptcy (Form 2010)). Also, go to the top of page 1 and check the appropriate box.
	<input checked="" type="checkbox"/> Chapter 7
	<input type="checkbox"/> Chapter 11
	<input type="checkbox"/> Chapter 12
	<input type="checkbox"/> Chapter 13

8. How you will pay the fee
- ☒ **I will pay the entire fee when I file my petition.** Please check with the clerk's office in your local court for more details about how you may pay. Typically, if you are paying the fee yourself, you may pay with cash, cashier's check, or money order. If your attorney is submitting your payment on your behalf, your attorney may pay with a credit card or check with a pre-printed address.
- ☐ **I need to pay the fee in installments.** If you choose this option, sign and attach the Application for Individuals to Pay The Filing Fee in Installments (Official Form 103A).
- ☐ **I request that my fee be waived** (You may request this option only if you are filing for Chapter 7. By law, a judge may, but is not required to, waive your fee, and may do so only if your income is less than 150% of the official poverty line that applies to your family size and you are unable to pay the fee in installments). If you choose this option, you must fill out the Application to Have the Chapter 7 Filing Fee Waived (Official Form 103B) and file it with your petition.

9. Have you filed for bankruptcy within the last 8 years?
- ☐ No
- ☒ Yes.
- District Western District of Texas, San Anton When 11/03/2016 Case number 16-52554-CAG
MM / DD / YYYY
- District _____ When _____ Case number _____
MM / DD / YYYY
- District _____ When _____ Case number _____
MM / DD / YYYY

10. Are any bankruptcy cases pending or being filed by a spouse who is not filing this case with you, or by a business partner, or by an affiliate?
- ☒ No
- ☐ Yes.
- Debtor _____ Relationship to you _____
- District _____ When _____ Case number, _____
MM / DD / YYYY if known
- Debtor _____ Relationship to you _____
- District _____ When _____ Case number, _____
MM / DD / YYYY if known

11. Do you rent your residence?
- ☒ No. Go to line 12.
- ☐ Yes. Has your landlord obtained an eviction judgment against you?
- ☐ No. Go to line 12.
- ☐ Yes. Fill out Initial Statement About an Eviction Judgment Against You (Form 101A) and file it as part of this bankruptcy petition.

Part 3: Report About Any Businesses You Own as a Sole Proprietor

12. Are you a sole proprietor of any full- or part-time business?
- ☒ No. Go to Part 4.
☐ Yes. Name and location of business

A sole proprietorship is a business you operate as an individual, and is not a separate legal entity such as a corporation, partnership, or LLC.

If you have more than one sole proprietorship, use a separate sheet and attach it to this petition.

Name of business, if any

Number Street

City

State

ZIP Code

Check the appropriate box to describe your business:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ None of the above

13. Are you filing under Chapter 11 of the Bankruptcy Code and are you a *small business debtor*?

For a definition of small business debtor, see 11 U.S.C. § 101(51D).

If you are filing under Chapter 11, the court must know whether you are a small business debtor so that it can set appropriate deadlines. If you indicate that you are a small business debtor, you must attach your most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).

- ☒ No. I am not filing under Chapter 11.
☐ No. I am filing under Chapter 11, but I am NOT a small business debtor according to the definition in the Bankruptcy Code.
☐ Yes. I am filing under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code.

Part 4: Report If You Own or Have Any Hazardous Property or Any Property That Needs Immediate Attention

14. Do you own or have any property that poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety? Or do you own any property that needs immediate attention?
- ☒ No
☐ Yes. What is the hazard?

For example, do you own perishable goods, or livestock that must be fed, or a building that needs urgent repairs?

If immediate attention is needed, why is it needed?

Where is the property?

Number Street

City

State

ZIP Code

Part 5: Explain Your Efforts to Receive a Briefing About Credit Counseling**15. Tell the court whether you have received a briefing about credit counseling.**

The law requires that you receive a briefing about credit counseling before you file for bankruptcy. You must truthfully check one of the following choices. If you cannot do so, you are not eligible to file.

If you file anyway, the court can dismiss your case, you will lose whatever filing fee you paid, and your creditors can begin collection activities again.

About Debtor 1:

You must check one:

- ☒ **I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.**

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

- ☐ **I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.**

Within 14 days after you file this bankruptcy petition, you **MUST** file a copy of the certificate and payment plan, if any.

- ☐ **I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.**

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

Your case may be dismissed if the court is dissatisfied with your reasons for not receiving a briefing before you filed for bankruptcy.

If the court is satisfied with your reasons, you must still receive a briefing within 30 days after you file. You must file a certificate from the approved agency, along with a copy of the payment plan you developed, if any. If you do not do so, your case may be dismissed.

Any extension of the 30-day deadline is granted only for cause and is limited to a maximum of 15 days.

- ☐ **I am not required to receive a briefing about credit counseling because of:**

- ☐ **Incapacity.** I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances.
- ☐ **Disability.** My physical disability causes me to be unable to participate in a briefing in person, by phone, or through the internet, even after I reasonably tried to do so.
- ☐ **Active duty.** I am currently on active military duty in a military combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver of credit counseling with the court.

About Debtor 2 (Spouse Only in a Joint Case):

You must check one:

- ☐ **I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.**

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

- ☐ **I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.**

Within 14 days after you file this bankruptcy petition, you **MUST** file a copy of the certificate and payment plan, if any.

- ☐ **I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.**

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

Your case may be dismissed if the court is dissatisfied with your reasons for not receiving a briefing before you filed for bankruptcy.

If the court is satisfied with your reasons, you must still receive a briefing within 30 days after you file. You must file a certificate from the approved agency, along with a copy of the payment plan you developed, if any. If you do not do so, your case may be dismissed.

Any extension of the 30-day deadline is granted only for cause and is limited to a maximum of 15 days.

- ☐ **I am not required to receive a briefing about credit counseling because of:**

- ☐ **Incapacity.** I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances.
- ☐ **Disability.** My physical disability causes me to be unable to participate in a briefing in person, by phone, or through the internet, even after I reasonably tried to do so.
- ☐ **Active duty.** I am currently on active military duty in a military combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver of credit counseling with the court.

Part 6: Answer These Questions for Reporting Purposes**16. What kind of debts do you have?****16a. Are your debts primarily consumer debts?** *Consumer debts* are defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose."☒ No. Go to line 16b.☐ Yes. Go to line 17.**16b. Are your debts primarily business debts?** *Business debts* are debts that you incurred to obtain money for a business or investment or through the operation of the business or investment.☐ No. Go to line 16c.☒ Yes. Go to line 17.**16c.** State the type of debts you owe that are not consumer or business debts.**17. Are you filing under Chapter 7?**☐ No. I am not filing under Chapter 7. Go to line 18.☒ Yes. I am filing under Chapter 7. Do you estimate that after any exempt property is excluded and administrative expenses are paid that funds will be available to distribute to unsecured creditors?☒ No☐ Yes**Do you estimate that after any exempt property is excluded and administrative expenses are paid that funds will be available for distribution to unsecured creditors?****18. How many creditors do you estimate that you owe?**☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5,001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000**19. How much do you estimate your assets to be worth?**☐ \$0-\$50,000☐ \$50,001-\$100,000☐ \$100,001-\$500,000☒ \$500,001-\$1 million☐ \$1,000,001-\$10 million☐ \$10,000,001-\$50 million☐ \$50,000,001-\$100 million☐ \$100,000,001-\$500 million☐ \$500,000,001-\$1 billion☐ \$1,000,000,001-\$10 billion☐ \$10,000,000,001-\$50 billion☐ More than \$50 billion**20. How much do you estimate your liabilities to be?**☐ \$0-\$50,000☐ \$50,001-\$100,000☐ \$100,001-\$500,000☐ \$500,001-\$1 million☒ \$1,000,001-\$10 million☐ \$10,000,001-\$50 million☐ \$50,000,001-\$100 million☐ \$100,000,001-\$500 million☐ \$500,000,001-\$1 billion☐ \$1,000,000,001-\$10 billion☐ \$10,000,000,001-\$50 billion☐ More than \$50 billion

Debtor 1 **Randy Benavides Balderas**

Case number (if known) _____

Part 7: Sign Below

For you

I have examined this petition, and I declare under penalty of perjury that the information provided is true and correct.

If I have chosen to file under Chapter 7, I am aware that I may proceed, if eligible, under Chapter 7, 11, 12, or 13 of title 11, United States Code. I understand the relief available under each chapter, and I choose to proceed under Chapter 7.

If no attorney represents me and I did not pay or agree to pay someone who is not an attorney to help me fill out this document, I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I understand making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

X /s/ Randy Benavides Balderas _____

Randy Benavides Balderas, Debtor 1

Executed on **02/14/2020**
MM / DD / YYYY

X _____

Signature of Debtor 2

Executed on _____
MM / DD / YYYY

Debtor 1 **Randy Benavides Balderas** Case number (if known) _____

For your attorney, if you are represented by one

I, the attorney for the debtor(s) named in this petition, declare that I have informed the debtor(s) about eligibility to proceed under Chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each chapter for which the person is eligible. I also certify that I have delivered to the debtor(s) the notice required by 11 U.S.C. § 342(b) and, in a case in which § 707(b)(4)(D) applies, certify that I have no knowledge after an inquiry that the information in the schedules filed with the petition is incorrect.

If you are not represented by an attorney, you do not need to file this page.

X /s/ WILLIAM R. DAVIS, JR. Date **02/14/2020**
Signature of Attorney for Debtor MM / DD / YYYY

WILLIAM R. DAVIS, JR.
Printed name

Langley & Banack, Inc.
Firm Name

745 E Mulberry Ave.
Number Street

Suite 700

San Antonio **TX** **78212**
City State ZIP Code

Contact phone **(210) 736-6600** Email address **wrdavis@langleybanack.com**

05565500 **TX**
Bar number State

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

In re **Randy Benavides Balderas**

Case No. _____

Chapter 7

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept.....	<u>\$7,500.00</u>
Prior to the filing of this statement I have received.....	<u>\$7,500.00</u>
Balance Due.....	<u>\$0.00</u>

2. The source of the compensation paid to me was:

☒ Debtor ☐ Other (specify)

3. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify)

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with another person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b. Preparation and filing of any petition, schedules, statements of affairs and plan which may be required;
- c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;

6. By agreement with the debtor(s), the above-disclosed fee does not include the following services:

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

02/14/2020

Date

/s/ WILLIAM R. DAVIS, JR.

WILLIAM R. DAVIS, JR.

Langley & Banack, Inc.

745 E Mulberry Ave.

Suite 700

San Antonio, TX 78212

Phone: (210) 736-6600 / Fax: (210) 735-6889

Bar No. 05565500

/s/ Randy Benavides Balderas

Randy Benavides Balderas

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

IN RE: **Randy Benavides Balderas**

CASE NO

CHAPTER **7**

VERIFICATION OF CREDITOR MATRIX

The above named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.

Date 2/14/2020

Signature /s/ Randy Benavides Balderas
Randy Benavides Balderas

Date _____

Signature _____

Alamo Iron Works
943 AT&T Center Pkwy.
San Antonio, TX 78219

Arnold Oil Company Fuels, LLC
P.O. Box 18089
Austin, TX 78760-8089

Atascosa County
c/o Don Stecker
711 Navarro, Suite 300
San Antonio, TX 78205

Capital Farm Credit
3000 Briarcrest Dr., Suite 422
Bryan, TX 77805

Capital One Bank, N.A.
5444 Westheimer Rd.
Houston, TX 77056

Caterpillar Financial Services Corp.
c/o John M. Castillo
Farrimond, Castillo & Brenahan, PC
130 E. Travis, Suite 350
San Antonio, TX 78205

Caterpillar Financial Services corp.
2120 West End Ave.
Nashville, TN 37203-0986

Charlotte ISD
c/o Don Stecker
711 Navarro St., Suite 300
San Antonio, TX 78205

Christopher Clifton
Associated Supply Company, Inc.
4146 IH-10 East
San Antonio, TX 78219

Chrysler Capital
P.O. Box 961275
Fort Worth, TX 76161

Curl Stahl Geis, PC
Attn: Paul T. Curl
700 N. St. Mary's St., Suite 1800
San Antonio, TX 78205

Davidson, Troilo, Ream & Garza
601 NW Loop 410, Suite 100
San Antonio, TX 78216

Ed Phillips, Jr.
E. Phillips Legal, PC
215 West Bandera, Suite 476-114
Boerne, TX 78006

Elvira Salmeron Jones (ex-wife)
428 Chaparral Dr.
Pleasanton, TX 78064

Falcon Leasing
183 Cedar Drive, Suite B
Foley, MN 56329

Hinds Well Service, LLC
3601 Veterans Blvd.
Del Rio, TX 78840

Hooge Farms, Inc.
P.O. Box 908
Poteet, TX 78065

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

Jacqueline Balderas
2049 FM 3006
Pleasanton, TX 78064

Jacqueline Perez (wife)
2049 FM 3006
.
Pleasanton, TX 78064

Joe Ruple/Michael Stewart
P.O. Box 190
110143 IH 37
Pleasanton, TX 78064

John Deere Construction
23176 Network Place
Chicago, IL 60673

John Deere Financial
6400 N.W. 86th Street
P.O. Box 6600
Johnston, IA 50131-6600

Julia A. Kuglen
Attorney at Law
1104 Nueces St., Suite 104
Austin, TX 78701-2106

Leonard May
206 Sisterdale Road
Boerne, TX 78006

Linebarger Goggan Blair & Sampson
Don Stecker
711 Navarro, Suite 300
San Antonio, TX 78205

Linn Anglin
c/o Alexey Tarasov, Esq.
5211 Reading Road
Rosenberg, TX 77471

Luis Navarro
c/o Alex Aguirre
The Aguirre Law Firm, PLLC
2632 Broadway St., #302S
San Antonio, TX 78215

Matheson Tri-Gas, Inc.
813 Oak Street
Jourdanton, TX 78026

Mathew K. Franklin
120 Preston St.
Plesanton, TX 78064

Oilfield Support Services, Inc.
16350 Park Ten Place, #218
Houston, TX 77084

Patrick H. Autry
Branscomb, PC
711 Navarro St., Suite 500
San Antonio, TX 78205

Pleasanton Express
P.O. Box 880
Pleasanton, TX 78064

RDO Equipment Co.
c/o D.M. Dalton, JR.
Jones, Allen & Fuquay, LLP
8828 Greenville Ave.
Dallas, TX 75243

Rocky Hill Equipment Rentals, Inc.
15305 IH 35 North
Selma, TX 78154

Scottrade Bank Equipment Finance
c/o Jenkins & Kling, PC
150 N. Meramec Ave., Suite 400
St. Louis, MO 63105

Security Service F.C.U.
16211 La Cantera Pkwy.
San Antonio, TX 78256

Security State Bank
1194 W. Oaklawn
Pleasanton, TX 78064

TexDoor, Ltd.
11202 Bomar Lane
San Antonio, T X 78233

Thomas Moy and Sons
Water Well Drilling, Inc.
12323 N. State Hwy. 123
Falls City, TX 78113

Triple S Steel Supply Co.
11310 West Little York
Houston, TX 77041

U.S. Small Business Admin.
727 E. Durango Rm A-513
Federal Building
San Antonio, Texas 78206

United Rentals (North America), Inc.
c/o Barnett Garcia
3821 Juniper Trace, Suite 108
Austin, TX 78738

United States Attorney
Taxpayer Division
601 N.W. Loop 410 Suite 600
San Antonio, TX 78216-5512

United States Attorney General
950 Pennsylvania Ave., NW
Washington, DC 20530-0001

William & Janice Ruple
201 Brian Dr.
Pleasanton, TX 78064

William B. Kingman
William B. Kingman, P.C.
3511 Broadway
San Antonio, TX 78209